



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ Application of: Bucala et al.
☐ Patent of:

☒ Serial No.: 08/243,342
☐ Patent No.:

Group Art Unit: To Be Assigned

☒ Filed: May 16, 1994
☐ Issued:

Examiner: To Be Assigned

For: INHIBITION OF MIGRATION
INHIBITORY FACTOR IN THE
TREATMENT OF DISEASES
INVOLVING CYTOKINE-
MEDIATED TOXICITY

Attorney Docket No.: 7815-008

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.9(f) and 1.27(d)] - Nonprofit Organization

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of organization The Picower Institute for Medical Research

Address of organization 350 Community Drive

Manhasset, New York 11030

Type of organization

- ☐ University or other institution of higher education
☒ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under statute of state of the United States of America

(Name of state _____)

(Citation of statute _____)

- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States of America.
☐ Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America

(Name of state _____)

(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled INHIBITION OF MIGRATION INHIBITORY FACTOR IN THE TREATMENT OF DISEASES INVOLVING CYTOKINE-MEDIATED TOXICITY by inventors Bucala et al. described in

☐ the specification filed herewith
☒ application serial no. 08/243,342 filed May 16, 1994
☐ patent no. issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above and/or there is an obligation under contract or law by the inventor(s) to convey rights to the nonprofit organization identified above with regard to the invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME None
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to:

PENNIE & EDMONDS
1155 Avenue of the Americas
New York, N.Y. 10036-2711

Direct Telephone calls to:

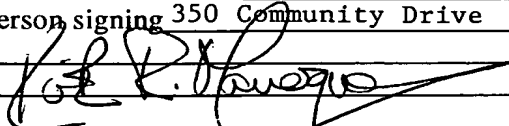
PENNIE & EDMONDS
(212) 790-9090

Name of person signing Kirk R. Manogue

Title of person other than owner Vice President

Address of person signing 350 Community Drive Manhasset, NY 11030

Signature



Date

9/24/94

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

"INHIBITION OF MIGRATION INHIBITORY FACTOR IN THE TREATMENT OF DISEASES INVOLVING CYTOKINE-MEDIATED TOXICITY"

the specification of which:

☐ is attached hereto

☒ was filed in the United States on May 16, 1994 as Application Serial No. 08/243,342 (for declaration not accompanying application) with amendment(s) filed on _____ (if applicable)

☐ was filed as PCT international application Serial No. _____ on _____ and was amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119/§172 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119/172
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

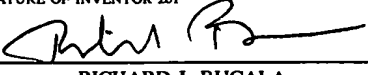
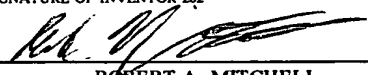
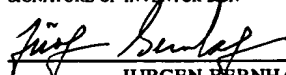


I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
08/063,399	May 17, 1993		X	

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), and Victor N. Balancia (Reg. No. 31231), whose address is Pennie & Edmonds, 1155 Avenue of the Americas, New York, New York 10036, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: <u>PENNIE & EDMONDS</u> <u>1155 AVENUE OF THE AMERICAS</u> <u>NEW YORK, N.Y. 10036-2711</u>				DIRECT TELEPHONE CALLS TO: <u>PENNIE & EDMONDS</u> <u>(212) 790-9090</u>	
201	FULL NAME OF INVENTOR	LAST NAME <u>BUCALA</u> 1-00	FIRST NAME <u>RICHARD</u>	MIDDLE NAME <u>J.</u>	
	RESIDENCE & CITIZENSHIP	CITY <u>NEW YORK</u>	STATE OR FOREIGN COUNTRY <u>NEW YORK</u> Ny	COUNTRY OF CITIZENSHIP <u>USA</u>	
	POST OFFICE ADDRESS	STREET <u>504 EAST 63RD STREET, #33D</u>	CITY <u>NEW YORK</u>	STATE OR COUNTRY <u>NEW YORK</u>	ZIP CODE <u>10021</u>
202	FULL NAME OF INVENTOR	LAST NAME <u>MITCHELL</u> 2-00	FIRST NAME <u>ROBERT</u>	MIDDLE NAME <u>A.</u>	
	RESIDENCE & CITIZENSHIP	CITY <u>NEW YORK</u>	STATE OR FOREIGN COUNTRY <u>NEW YORK</u> Ny	COUNTRY OF CITIZENSHIP <u>USA</u>	
	POST OFFICE ADDRESS	STREET <u>516 EAST 11TH STREET, #6C</u>	CITY <u>NEW YORK</u>	STATE OR COUNTRY <u>NEW YORK</u>	ZIP CODE <u>10009</u>
203	FULL NAME OF INVENTOR	LAST NAME <u>BERNHAGEN</u> 3-00	FIRST NAME <u>JURGEN</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>NEW YORK</u>	STATE OR FOREIGN COUNTRY <u>NEW YORK</u> Ny	COUNTRY OF CITIZENSHIP <u>GERMANY</u>	
	POST OFFICE ADDRESS	STREET <u>1570 FIRST AVENUE, #7H</u>	CITY <u>NEW YORK</u>	STATE OR COUNTRY <u>NEW YORK</u>	ZIP CODE <u>10028</u>
204	FULL NAME OF INVENTOR	LAST NAME <u>CALANDRA</u> 4-00	FIRST NAME <u>THIERRY</u>	MIDDLE NAME <u>F.</u>	
	RESIDENCE & CITIZENSHIP	CITY <u>NEW YORK</u>	STATE OR FOREIGN COUNTRY <u>NEW YORK</u> Ny	COUNTRY OF CITIZENSHIP <u>SWITZERLAND</u>	
	POST OFFICE ADDRESS	STREET <u>500 EAST 63RD STREET</u>	CITY <u>NEW YORK</u>	STATE OR COUNTRY <u>NEW YORK</u>	ZIP CODE <u>10021</u>
205	FULL NAME OF INVENTOR	LAST NAME <u>CERAMI</u> 5-00	FIRST NAME <u>ANTHONY</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>SHELTER ISLAND</u>	STATE OR FOREIGN COUNTRY <u>NEW YORK</u> Ny	COUNTRY OF CITIZENSHIP <u>USA</u>	
	POST OFFICE ADDRESS	STREET <u>RAM ISLAND DRIVE</u>	CITY <u>SHELTER ISLAND</u>	STATE OR COUNTRY <u>NEW YORK</u>	ZIP CODE <u>11964</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201  RICHARD J. BUCALA	SIGNATURE OF INVENTOR 202  ROBERT A. MITCHELL	SIGNATURE OF INVENTOR 203N  JURGEN BERNHAGEN
DATE <u>12.8</u> , 1994	DATE <u>12/11</u> , 1994	DATE <u>December 08</u> , 1994
SIGNATURE OF INVENTOR 204  THIERRY F. CALANDRA	SIGNATURE OF INVENTOR 205  ANTHONY CERAMI	
DATE <u>December 8</u> , 1994	DATE <u>December 16</u> , 1994	

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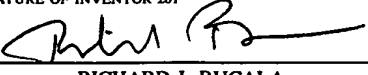
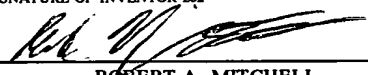
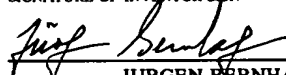


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